

MINUTES
TOWN OF FREDERICK
BOARD OF TRUSTEES

Frederick Town Hall

March 9, 2010

7:00 p.m.

Attendance: Mayor Eric Doering, Mayor Pro Tem Wedel, Trustees Gerry Pfirsch, Tony Carey, Liberta Hattel, Jim Wollack and Amy Schiers. Also present were Town Administrator Derek Todd, Town Attorney Rick Samson, Town Planner Jennifer Simmons, Town Engineer Dick Leffler and Town Clerk Nanette Fornof. Audience was also present.

ROLL CALL Mayor Doering called the regular meeting to order at 7:00 p.m.; role call was taken and all Trustees were present.

PLEDGE OF ALLEGIANCE Mayor Doering led the audience in the Pledge of Allegiance.

ADDITIONS OR DELETIONS TO THE AGENDA There were no additions or deletions to the agenda.

PUBLIC COMMENT There was no one signed up for Public Comment; however Boy Scout Troop 860 was in attendance. The Troop is currently working on their Citizen in the Community merit badge.

STAFF REPORTS

Administrative Report Town Administrator, Derek Todd, provided the Board with the Administrative Report which highlighted the following items: The Community Survey is underway, Election Day, Congressman Jared Polis Visit, Spring Clean-up Day, Business After Hours, Frederick Recreation Area Phase 1 Grand Opening, Annual Fishing Clinic and Upcoming Board of Trustees Work Sessions. The Administrative Services Department provided information about the Finance Division, Human Resources Division, Municipal Court Division and Records and Elections Division. The Engineering Department supplied information about Building Division Activity, Aggregate Boulevard Ditch Culvert Replacement, Street Signs and DRCOG Transportation Work Group Appointment. The Planning Department provided information about Parks, Open Space and Trails Master Plan and Milavec Lake Aeration. The Police Department provided information about Grant-Funded Enforcement Activity

Town Attorney Report Town Attorney Rick Samson provided the Board of Trustees with a written Status Report and provided verbal information regarding a situation concerning the residency requirement for a Trustee Candidate.

LIQUOR LICENSE AUTHORITY

AM 2010-023, To Consider Renewal of D'Agostino's Mugg-n-Pye Hotel/Restaurant Liquor License At 7:09p.m. Mayor Doering indicated the Board was acting in the role of the Liquor License Authority. The Hotel/Restaurant Liquor License for D'Agostino's Mugg-n-Pye expired on February 28, 2010. The renewal application was reviewed and a background investigation was completed. Motion by Trustee Wollack to approve the renewal of D'Agostino's Mugg-n-Pye Hotel/Restaurant Liquor License, Trustee Carey seconded the motion and motion carried unanimously. At 7:12p.m. the Board of Trustee resumed their role as Trustees.

PUBLIC HEARING

AM 2010-019, To Consider an Ordinance to Amend Article 1 of the Frederick Land Use Code While researching ways in which the Town can collect delinquent fees, Colorado Revised State Statute allows local governments to recover delinquent development fees and charges through placing a lien on the property. In order to clarify the Town's ability to recover development fees and charges, the proposed ordinance needs to be adopted. Similar language will be adopted in the Municipal Code as well. Mayor Doering opened the Public Hearing at 7:27p.m. There being no comments or questions, the Public Hearing was closed at 7:27p.m. Motion by Mayor Pro Tem Wedel to adopt Ordinance #1034, AN ORDINANCE OF THE TOWN OF FREDERICK, COLORADO, AMENDING ARTICLE 1, OF THE FREDERICK LAND USE CODE, PROVIDING FOR A LIEN TO RECOVER UNPAID DELINQUENT DEVELOPMENT FEES, CHARGES OR ASSESSMENTS MADE OR LEVIED BY THE TOWN, with the removal of "sewer rates" from the proposed ordinance. Trustee Pfirsch seconded the motion, motion carried unanimously.

ACTION AGENDA

AM 2010-020, An Ordinance Regarding Certification of Liens to Weld County for Unpaid Delinquent Fees/Charges/Assessments/Taxes Owed to the Town Colorado State Statute provides the authority for a municipality to certify delinquent charges, assessments, or taxes owed to a town by any person or property owner to the County Treasure, which will be collected by the County and then distributed to the municipality. Though this authority exists in statute, case law has looked to whether a municipality has specifically adopted a local ordinance pursuant to this section of the Statutes. Motion by Trustee Wollack to adopt Ordinance 1035, AN ORDINANCE OF THE TOWN OF FREDERICK, COLORADO, AMENDING CHAPTER 1, ARTICLE IV, OF THE FREDERICK MUNICIPAL CODE, PROVIDING FOR THE CERTIFICATION OF A LIEN TO RECOVER UNPAID DELINQUENT FEES, CHARGES, ASSESSMENTS OR TAXES MADE OR LEVIED BY THE TOWN, with the removal of "sewer rates" from the proposed ordinance. Trustee Schiers seconded the motion and motion carried unanimously.

AM 2010-024, To Consider a Resolution Approving the Weld County Hazard

Mitigation Plan The Disaster Mitigation Act of 2000 requires that states, counties and municipalities participate in planning at the state and regional level. One of the principle purposes of the act is to encourage disaster mitigation planning at the local level. The Weld County Hazard Mitigation Plan puts forth county-specific recommendations for mitigation, based on the risk assessment that is designed to reduce future losses. Motion by Trustee Pfirsch to approve Resolution 10R013, A RESOLUTION ADOPTING THE NORTHEAST, COLORADO REGIONAL HAZARD MITIGATION PLAN, UPDATE OF 2009, Trustee Wollack seconded the motion and motion carried unanimously.

AM 2010-021, To Consider the Appointment of an Alternate Planning Commissioner Currently there are two vacant alternate positions available on the Planning Commission. Resident Tracy Moe, applied for the position and supplied the Board of Trustee with her background and why she is interested in being a Planning Commissioner. Motion by Trustee Carey to appoint Tracy Moe as an alternate Planning Commissioner, Trustee Schiers seconded the motion and motion carried unanimously.

CONSENT AGENDA

Motion by Mayor Pro Tem Wedel, to approve the Consent Agenda with the following items; Approval of the List of Warrants for March 9, 2010, AM 2010-025, Consideration of Resolution 10R014, A RESOLUTION REGARDING PUBLIC RIGHT OF WAY DEDICATIONS ALONG WELD COUNTY ROAD 13, ADJACENT TO DACONO INVESTMENT CO. PROPERTY, ADOPTING CERTAIN FINDINGS OF FACT AND CONCLUSIONS FAVORABLE TO ACCEPTANCE OF THE DEDICATIONS, AM 2010-026, Consideration of Ordinance #1036, AN ORDINANCE OF THE TOWN OF FREDERICK COLORADO, REGARDING VACATING A PORTION OF RIGHT OF WAY FOR COLORADO BOULEVARD, TOWN OF FREDERICK, AM 2010-022, Consideration of Resolution 10R015, A RESOLUTION REGARDING PUBLIC RIGHT OF WAY DEDICATIONS ALONG PURITAN LANE AND COLORADO HIGHWAY 52 ADJACENT TO AND WITHIN THE PROPOSE ST. DIMITIRIE SUBDIVISION, ADOPTING CERTAIN FINDINGS OF FACT AND CONCLUSIONS FAVORABLE TO ACCEPTANCE OF THE DEDICATIONS and the February 23, 2010, Special and Regular meeting minutes. The motion was then seconded by Trustee Schiers, motion carried unanimously.

MAYOR AND BOARD REPORTS

Trustee Carey made comment about adjudicated water for Milevac Lake, the Annual Police Report and Balloon Meister contract. Trustee Carey also indicated the Hot Air Balloon event will be held two days this year.

Trustee Hattel had nothing to report.

Trustee Pfirsch provided information about DRCOG and holding a work session to update the newly elected Trustees.

Trustee Schiers provided information about upcoming legislative issues, St. Vrain Valley School District Retreat and a community meeting to discuss the School District short falls.

Trustee Wedel inquired about Suzi-Cues court hearing and made mention about Waste Connections contract.

Trustee Wollack made comment about coyote issues at Summit View Subdivision, acknowledged the Frederick High School Wrestling Team for their efforts and Access of Movement for their awards. The Wrestling Team and Access of Movement will be recognized at a future meeting.

Mayor Doering made mention of the Town of Frederick being on the map in the Denver Business Magazine, North Metro Chamber round-table event, June 15th, joint meeting with the St. Vrain Valley School District, request for an update regarding the delay in collection of fees, the upcoming election and holding a Candidate forum.

There being no further discussion, Mayor Doering closed the regular meeting at 8:15p.m.

Nanette S. Fornof, Town Clerk

Approved by the Board of Trustees

Eric E. Doering, Mayor